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FM AMEMBASSY BUENOS AIRES  
TO RUEHC/SECSTATE WASHDC 4401  
INFO RUEHBR/AMEMBASSY BRASILIA 5316  
RUEHSG/AMEMBASSY SANTIAGO 5110  
RUEAIIA/CIA WASHDC  
RUEKJCS/CJCS WASHDC  
RHMFISS/HQ USSOUTHCOM MIAMI FL  
RHEHNSC/NSC WASHDC  
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L BUENOS AIRES 001005

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E.O. 12958: DECL: 05/04/2016  
TAGS: [AR](#) [KTIA](#) [MARR](#) [MOPS](#) [MASS](#)  
SUBJECT: ARGENTINA PROPOSES FUNCTIONAL IMMUNITIES FOR  
UNITAS EXERCISE

REF: A. STATE 49791

[1](#)B. BUENOS AIRES 798

Classified By: Ambassador Lino Gutierrez, Reasons 1.4(b) and (d).

[1](#)1. (U) This is an action request. Please see paragraph 5.

[1](#)2. (C) Paulo Cavalleri, an official in the MFA's Office of International Security (DIGAN), called POLOFF April 26 regarding our proposal (ref A) to negotiate a Status of Forces Agreement (SOFA) for the November 2006 UNITAS Atlantic Phase Exercise. POLOFF discussed ref A request April 4 with Cavalleri and DIGAN Deputy Director Ricardo Boccalandro (ref B).

[1](#)3. (C) As expected, Cavalleri said the MFA's Office of Legal Affairs was not prepared to offer legal protections equivalent to Administrative and Technical status under Article 37.2 of the 1961 Vienna Convention. However, the legal advisor had offered protections under Article 37.3, or so-called "functional immunities."

[1](#)4. (C) Cavalleri also noted that Congress would be unable to modify its draft legislation approving the MOD's list of 2006 exercises in time to cover our request for the UNITAS Atlantic Phase. However, as post noted in ref B, this problem could be overcome through stand-alone legislation.

[1](#)5. (C) Post requests guidance on how to respond to the MFA's offer of Article 37.3 immunities for the UNITAS Atlantic Phase deployment.

[1](#)6. (U) Ref. B available at  
<http://www.state.sgov.gov/p/wha/buenosaires.</a>>

GUTIERREZ